

BEACH ALCOHOL TASK FORCE

Meeting Minutes for 3/26/07

Contact: Thyme Curtis, tcurtis@sandiego.gov, (619) 236-6622

Members Present:

Todd Brown, Scott Chipman, Jean Froning, Clyde Fuller, Mary Swenson (sitting in for Nancie Gellar), Katie Keach, Julie Klein, Jeremy Malecha, Dave Martin, Bill Bradshaw, Mark Antis

Chair:

Councilmember Kevin Faulconer

Meeting called to order at 6:41 p.m.

Introduction

- This committee has been meeting for the past five months, with this being the sixth month.
- The committee was brought together because everyone has different viewpoints, and this is the discussion that was encouraged.
- The task force is not just about the alcohol on the beach issue, but has had a series of topic meeting that are designed to look at alcohol issues holistically.
- The task force has discussed alcohol licenses, enforcement, crime stats, number of licenses, party houses. There have been representatives from the City Attorney's office, including the DART program, the community court, and the San Diego Police Department have been well represented as well.
- The task force has gathered people with diverse opinions together with the goal of reaching consensus. Although the task force may not reach consensus on everything, still wanted to have an intelligent and focused dialogue.
- Asked that the BATF get together for 6-9 months, this is the last of the topic meetings, and then the BATF will begin the recommendation discussion.
- Tonight's topic of alcohol on beach has been around for a long time. Hope that tonight's discussion will be conducted in a collegial manner. The group is interested in new ideas.
- Going to have the police chief talk for a few minutes, and there are representatives from the lifeguard services to answer questions if requested.
- Keep comments to 2 minutes and focus on new ideas

Police Chief William Lansdowne

- We're here to answer some questions for community. He has had three years to help the problems in this City. Four years ago when he came in, there were too few officers, and they were not able to deal with the issues there. Would read reports about the crowds moving inland later in the afternoon.
- Came up with a plan to deal with the crowds and the problems in the beach areas. From here, would like an opportunity to hear from the community as they voice their opinions, and will try to implement what this BATF would like.
- With or without alcohol, San Diego is a world class destination, and will need many officers to make it a safe environment. There are more officers now during the spring break period then would normally have because Captain Boyd Long of Northern Division requested additional staff to handle the crowds.
- Introduced Captain Boyd Long.

Capt. Boyd Long, Northern Division

- The SDPD is committed to making your community a safe place. The number one things that drive the crime in the beach areas are:
 - (1) beach is popular destination and many people visit from throughout nation, it is also an entertainment district, and you have Mission Bay Park,

- (2) the number of people in the beaches: there are 75,000 residents in OB, MB and PB, but that number is doubled almost any day of the year. 22 million visit the beaches annually
 - (3) very dense area which is attractive to criminal population, lots of rental units.
 - (4) 72% of the residents in PB are renters, which also means there is a large number of vehicles
 - (5) the community is attractive to criminals because of the naïve tourists
- The PD manages resources very well. They bring in new resources when they anticipate more crowds, such as on St. Patrick's day, on Thursday thru Saturday during spring break weeks; the year-round beach team and the special summer beach team. The Mission Beach camera project, which was completed with the help of the community and Councilmember Faulconer; a significant auto theft division.
- These tools help the PD to solve crimes quickly, such as the Mission Beach rape suspects and the PB peeper.
- Great partnership with ABC and the PD's own VICE unit; also use grant money to bring additional resources in. Have had two DUI checkpoints in the beach area since January, and will continue to have strict DUI enforcement to catch the drunk drivers. Great relationship with the City Attorney assigned to Northern Division, the community court is a great new tool as well.
- Neighborhood revitalization of neighborhood watch in beach area, with Mission Beach up and running and working on it in PB.
- Crime in the community: if you go back to 2000-06, violent crime has been reduced in MB, PB and MBPark.

C-M Comments:

- Thanked Chief Lansdowne and Captain Long for their comments.
- Introduced Lifeguard Captain Rick Wurts and Lieutenant Nick Lerman.

Public comment

- Frank McCord: thinks we're becoming magnet for drinking in public, public urination, intoxication, and record number of DUIs. Other beaches don't allow this, like La Jolla, and people are moving away. Now is time to address this issue.
- Richard Miller: been in the beach area since 1984, live in MB; don't want to see his patrol officers writing tickets for open containers when can be dealing with important crimes; don't want to be arrested for drinking beer at the beach, that is not the issue. The issue is there are not enough restrooms at the beach. DUIs are connected to illegal behavior at house parties or other bars, and not drinking on the beach.
- Rick Strobel: PB resident, has seen lots of issues in PB: (1) evolution of alcohol restrictions, used to be able to drink for 24 hrs. a day, then limited to 12-8 on sand only. Then banned on other beaches and it worked in La Jolla. (2) Biggest problem is binge drinking, eliminate drinking games that encourage it. (3) Consider geographical restrictions
- Karen Mitchell: has lived here since college; Court TV beach patrol brings it down, not a first class destination if people see that alcohol abuse; want freedom to have quality of life, hope that whatever comes out of the task force makes us America's finest beach
- John Greenhalgh: thanked task force for its help. It is an embarrassment what is happening on the beaches. His 13 yr. old daughter saw a man peeing on their gate, and other 13 yr. old made a sign asking others to refrain from urinating on their gate. Task force should consider creating alcohol free zones to see if it works.
- Al Strohle: Capt. Long said the City would deploy 500 officers on July 4th; and that the same problems would occur even if alcohol was not allowed. If alcohol were banned on July 4th would the results be the same? We will not know so long as the City retains the status quo.
- Robert Rynearson: Speaking as a representative of FreePB.org, a CA nonprofit. The philosophy of the organization is that community issues and problems are best solved through education management and enforcement of current laws, not by legislating rights away. Freepb.org objects to an alcohol ban. The group does not support littering the beaches, DUI's, or other belligerent behavior. They do promote responsible use of beaches. FreePB has two programs to address

- litter: keep beaches beautiful program that addresses lack of trash containers, and 6 p.m. pick me up.
- Elaine DiCiccio: resident for 20 yrs. tried to prevent underage drinking; teaches at mesa college to individuals with brain issues from drinking overuse. No controls over kids and what it can do to judgment
 - Craig Klein: resident and property owner in OB. This issue is a balancing of rights. Support rights of those who want to responsibly drink, and also support rights of families who want to enjoy beach without being burdened. Supports a family overlay recreational zone that is alcohol free. We have surfing and swim zones and no reason cannot have the same approach here. Could tailor zones to meet holiday demands.
 - Kathleen Lippitt: 4 yrs. ago the City passed the social host ordinance. Now the City has become an irresponsible social host because at the beach, ID's are not checked, people use beaches and abuse alcohol on the beaches. The police try to help it but cannot do it all. Picking up trash doesn't address drinking on the beach issues. Do what most other Southern California beaches have done. City shouldn't get a pass for being irresponsible. When public safety outweighs freedoms then the balance must tip in favor of restricting freedoms.
 - Penny Campbell: she and her husband live at the beach and are against having alcohol on the beach. There are more than twenty opposed, but cannot all come to the meetings because they are taking care of their kids. Have to drive to use a beach because they will not go to these beaches.
 - Michael McGinty: has lived in PB for twenty years, originally from the East coast, Ocean City, NJ. No alcohol is permitted on the beach there, and you need a beach tag to visit the beach. There is also a curfew just to visit the beach. Making something illegal will not solve our social ills, and instead could end up with a militant approach to visit our beach. Need to get more creative to deal with these issues, because littering, drunk driving are already illegal. Do not need another law.
 - Sabrina Hanlein: she is a Clairemont resident, 4th generation San Diegan. Has been having a July 4th party for 24 yrs., and this year her oldest will be 21 and able to drink at the party. Extremely upset that her right to drink could be taken away because of what a few do. Not everyone urinates in the yards, and parents should be responsible for teaching their children not to do so as she has done.
 - Marcie Beckett: lifelong PB resident. Said that binge drinking has gotten much worse. When walking to the beach with her kids, she sees a huge crowds of people drinking; they only go into the water to urinate. They use beer bongs, and then stagger to their cars at the end of the day. The beach patrol show is real, and there have been at least 6 DUI fatalities in PB alone. Alcohol related crime rates are 3000-4000 higher than the Citywide average. All Southern California Beaches have banned alcohol and why can't we.
 - Debbie Malcarne: has lived in PB for many years and her viewpoint on beach alcohol has changed. For many years, was a strong supporter of beach alcohol but has seen a change in the past few years. Has seen increase of men carrying large cases of beer and parade back at the end of the day. Do not want to infringe on rights but hope this will be part of the larger solution to target binge drinking.
 - Richard Green: member of the MBTC and was the co-chairman for action against the ban. We entertain a lot on the beach and do enjoy responsible drinking, and have positive environment. Want to thank enforcement people for improvement. He does not encounter the problems that everyone is talking about on the bay, even though he spends lots of time on the beach and bay.
 - Carlos Gutierrez: he is with FreePB.org, a 37 year old local, and has lived at the beach for 11 yrs. We can have clean beaches and bay if we work together. Have issues with binge drinking, but can work on these issues together. Check out freepb.org
 - Brad Hutson: a PB home owner; people that want to drink will drink anyway even if alcohol is banned at the beach; people will drink at pre-parties before they go to the beach, or they will sneak alcohol out there at the beach.
 - Nicholas Sacco: it is important for young people to get out and voice opinions; in regards to the PB and La Jolla comparisons—he went to school in La Jolla and could not find an apartment there by the beach, but was able to in PB. There are different demographics between the two communities and we should compare PB with beaches that have banned alcohol and have a similar demographic.

- Nicole Larson: has lived on sail bay for 7 years and is currently the President of the Sail Bay Association. She was initially very against alcohol restrictions but has become a strong supporter of restrictions because the conditions are getting worse. Things are not better in the beaches and would disagree with the Chief regarding July 4th. There is an atmosphere there that anything goes. Freedom is very important, but also requires responsibility and that is lacking. Last Saturday some rowdy's attacked a driver apartment hunting and one of them was even killed; witnessed urination on a neighborhood building. in March. There need to be restrictions.
- Dr. Ron Worley: has lived in PB for 5 years and practices in La Jolla. The aftermath of binge drinking is devastating, sometimes to the binge drinkers and sometimes to the victims. We must think in terms of public safety.
- Alan Bark: his family first moved to PB in 1961; The City recently passed a smoking ordinance without discussion because of the impact of second hand smoke and litter. Practically every city in CA has banned alcohol and that has helped crime statistics. Get alcohol off the beaches and give the beaches back to San Diego.
- Joe Wilding: Nobody comes to PB without a beer, it's a drunk pit. People with red hats might win this tonight, but will have these meetings for the next 20-40 years while these college kids move somewhere else. Police yourselves if you want a beer on the beach.
- Maryann McCord: lives on the beach in PB. Spoke about the 10,000 minimum DUI fines, and thinks those fines should all be collected.
- David Austin: PB resident for 35 years, agrees that laws will not solve the alcohol abuse problem but having laws makes it understood that certain behavior is unacceptable. If the true story of Prop. G was known then this would be a different conversation. It was an ingenious response by the alcohol industry, as it was financed by them.
- John Blecker: has been in the beach community for 18 years, and it was a different situation then. Prop. G was something that helped the alcohol industry because the proposed prohibition was only in MB.
- Larry Leon: one of the founding members of FreePB.org, which was started with Prop. G. He is 43 years old and enjoys a beer at the beach, and has friends with kids who do too. Facts are that we have had a 3 year program and it works. He believes what the Chief of Police says. There are thousands of sober people that visit the beach every day. There are lots of families too. There is enforcement and laws to be enforced. Should just obey the laws and focus on the problem.
- Rick Oldam: 24 year long PB resident. Also enjoys having beers on the beach and would miss it if an ordinance was passed. Drinking is a privilege and not a right; nowhere else in city can you do that. 18 people are dead because of DUI fatalities in beach areas.
- Dr. Kevin Fitzpatrick: thinks it is important that everyone is together to discuss this issue. Need to find a way to come together to be responsible.
- Jake Pyle: 8 year resident; just because he doesn't have kids or a wife doesn't mean he shouldn't have a voice. The DUI numbers are artificially inflated because of the greater enforcement. If you go up to Santa Cruz or Venice beach, they are still dangerous even though alcohol was banned.
- Drew McGuire: member of FreePB.org, and is opposed to a ban of alcohol at the beach.
- Jack Bark: lived here for 40 years, and the community has become a magnet for drinking. W should not have to use all these extra cops to come and help us with our problems.
- Jerry Hall: PB resident for 17 yrs. The people in this room aren't the problems, it is the binge drinkers and visitors; because of our liberal atmosphere we attract liberal attitudes. We should do a test of different scenarios here in PB to see what works. Compare no alcohol for certain amount of time on the beaches with alcohol on the beaches, rather than comparing PB with other communities. His website, enjoypb.com, includes lifeguard and police stats
- Eve Anderson: 33 yr. resident; things have changed. 5 years ago block party was a problem because it overwhelmed PB and was shut down because it was a danger. The same thing is happening with alcohol on beach with the crime and DUIs. All the hotels near the beach tell their tourists to visit La Jolla to go to the beach, and PB businesses are losing that business. Asked everyone to stand who supported an alcohol ban.

- Greg Largent: fairly new resident and drinking on beach is one of reasons he moved to PB; he does not want people to defecate and urinate either on the beaches. Thinks we should organize beach clean-ups.
- Jamie Young: resident of a number of beach communities around the Country, and can see what alcohol does to those communities. Has also worked in alcohol industry for 6-7 yrs. and is also sick of drunks. Lives right at the beach, not a college student, and enjoys a beer or two at the beach. Could use beach passes to raise more money for clean-ups.
- Nancy Dalzell: lives on PB drive. Need to reinforce our responsibilities to the community, we have an obligation to change because the beach and bay cannot handle the current activity. Try a 24 hour alcohol ban.
- Frank Fernicola: lives on sail bay and wanted to address July 4th. Every resort town self selects for its community, and with alcohol zones, we select binge drinkers.
- Joseph Peters: just moved out from Brooklyn, and recently visited Atlantic City beaches. The real issue here is freedom and should retain alcohol on the beach.
- Harlo Hunter: PB resident; spoke about the great number of bars
- Danielle Morris: works full time and goes to school full time, and enjoys a drink on the beach. Will soon be living in PB at a place with a lawn and will not want people to urinate on it. Need more bathrooms at the beach. Most of the properties at the beach are rentals, most are students, and they bring most of the business to the community. The problem would just move to house parties if alcohol were banned at the beach.
- Donna Winkler: 12 yr. PB resident. Was hit by a drunken biker on 3/17 walking from Trader Joes. The sober ones aren't the ones causing a problem; should ban alcohol completely
- Stephen Heresly: OB resident and bartender; he drinks and serves responsibly. Binge drinking, kegs and beer bongs should not be in public areas; as far as families are concerned, understandable that they want a nice clean place on the beach without drunks. Do have this problem but a balance between the two sides is great.
- Larry Abrams: 32 year-old resident, need to add staff to provide for these visitors. Need to put money into that because it is a different City then it was a few years ago.
- Desiree Gutierrez: works a lot and enjoy going to beach. Believes there should be a compromise—if banned on the beach, people will drink at the bars and other places. She gets carded every day that drinks at the beach because the police force is there. Only a few irresponsible people at the beach and they will be irresponsible wherever they are drinking
- Bill Barlow: lifelong SD resident. There is a shortage of police officers. Every activity described here tonight has a law preventing it, but there are not enough cops to enforce it. Even if this law is passed, it won't work.
- Wade Booth: has spent 7 yrs. in PB and there are lots of fun things to do if you can do it responsibly.

Names called but did not speak [Tim Forker and Andy Chotiner]

C-M Comments

- Thanked everyone for being so polite and civil to one another
- This was the most well attended forum and appreciates the passion on both sides of the issue. Some good thoughts and suggestions were provided tonight, including: time of day restrictions, seasonal differences, and beach passes, family zones, not changing anything, or changing a lot.
- The next meeting will be held on April 23rd at the OB Masonic Lodge. We will be moving forward on the discussion of recommendations, and will try and find consensus. All meetings are open to the public. Have been talking about doing a special Saturday session to have more time.

Task Force Member Comment

- Bill Bradshaw: wanted to ask Chief Lansdowne about his previously stated professional opinion that alcohol should stay on the beaches because it is easier to address. Passed out memo written in 2001 by David Bejarano, former Chief of Police.
- Julie Klein: part of the OBMA, a business owner, and involved with the Sunset Cliffs Surfing Association. She is dead center in the middle of this issue. enjoys having a drink on the beach

and she does drink responsibly. The crime prevention efforts in OB have been incredibly successful. She volunteers with the surf team and the drunks urinate there each day. The lifeguard services step up and help them out, and the police have also been incredible, but the kids asked for an alcohol free zone there. She started a petition for an alcohol free zone because the kids asked for it. She wants to see everyone working on this, breaking down the issues in a future workshop. Hopes that everyone remains involved.

- Jeremy Malecha: does not think that a new law will help the situation. If the activity at PBdrive is a problem, then should work to create solutions that work and provide tools for enforcement.

Councilmember Faulconer concluded the meeting at 8:40 p.m.